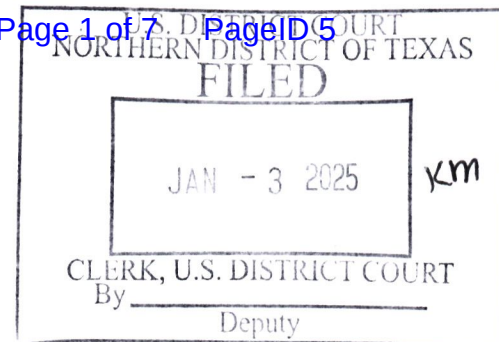


**Case 1****UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS****Clerk of Court****1100 Commerce St. Room 1452****Dallas, TX 75242****STEVEN OPPEGARD,**  
Plaintiff (Pro Se)**3 - 25 CV 0014 - X**

v.

**NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER,**  
Defendant**COMPLAINT FOR VIOLATIONS OF THE CONSUMER FINANCIAL PROTECTION  
ACT (CFPA), REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA),  
HOMEOWNERS PROTECTION ACT (HPA), FRAUDULENT  
MISREPRESENTATION, AND INTENTIONAL INFLICTION OF EMOTIONAL  
DISTRESS  
DEMAND FOR JURY TRIAL****INTRODUCTION**

1. Plaintiff **Steven Oppegard** brings this action against **Nationstar Mortgage LLC d/b/a Mr. Cooper** for fraudulent, abusive, and illegal mortgage servicing practices conducted without any legal authority or ownership interest in the mortgage loan in question.
2. Defendant **Mr. Cooper** has never produced an original or verified copy of the mortgage or deed, nor has it proven any ownership interest or legal right to service Plaintiff's mortgage. Despite this, Defendant fraudulently induced Plaintiff into making payments on a loan it does not own, misrepresented the status of Plaintiff's mortgage, and wrongfully seized payments and escrow funds over nearly a decade.
3. Defendant's willful violations of the **Real Estate Settlement Procedures Act (RESPA)**, **Consumer Financial Protection Act (CFPA)**, and **Homeowners Protection Act (HPA)**, as well as fraudulent misrepresentation and intentional infliction of emotional distress, demonstrate a pattern of systemic misconduct that has continued unabated despite recent federal penalties, including fines imposed by the **Consumer Financial Protection Bureau (CFPB)**.
4. Plaintiff seeks compensatory, statutory, and punitive damages for Defendant's wrongful actions, which include unauthorized foreclosure threats, unlawful seizure of funds, and the severe financial, emotional, and physical harm inflicted on Plaintiff.

5. This Court has jurisdiction over this case in the **Northern District of Texas**, where Defendant is headquartered and where the misconduct causing Plaintiff's harm originated.

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## JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction under **28 U.S.C. § 1331**, as Plaintiff's claims arise under federal statutes, including **RESPA** (12 U.S.C. § 2601 et seq.), **CFPA** (12 U.S.C. § 5481 et seq.), and **HPA** (12 U.S.C. § 4901 et seq.).
7. Defendant **Nationstar Mortgage LLC**, headquartered in Coppell, Texas, is subject to personal jurisdiction in Texas, where it directed and executed the unlawful actions described herein.
8. Venue is proper under **28 U.S.C. § 1391(b)** because Defendant's operations in Texas caused the harm to Plaintiff and constitute the locus of the events giving rise to this action.

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## PARTIES

9. **Plaintiff, Steven Opegard**, is a California resident proceeding **Pro Se** due to the severe financial impact and emotional distress caused by Defendant's misconduct.
10. **Defendant, Nationstar Mortgage LLC d/b/a Mr. Cooper**, is a Delaware LLC with its principal place of business in Coppell, Texas. Defendant services residential mortgages across the United States and has engaged in the violations described herein.

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## FACTUAL ALLEGATIONS

### 1. Lack of Legal Ownership or Authority

11. Defendant has never established any legal ownership of Plaintiff's mortgage and has failed to produce an original or verified copy of the mortgage or deed demonstrating lawful authority to service the loan.
12. Despite its lack of ownership or legal standing, Defendant serviced Plaintiff's mortgage, collected payments, charged fees, and initiated foreclosure proceedings—all without the necessary documentation or legal authority.
13. Plaintiff, in good faith, submitted multiple **Qualified Written Requests (QWRs)** under **RESPA** (12 U.S.C. § 2605(e); 12 CFR § 1024.36(d)), requesting proof of Defendant's ownership and servicing authority. Defendant failed to respond adequately, knowingly misrepresenting its authority to collect payments and enforce the loan.

### 2. Fraudulent Collection and Misapplication of Payments



14. In **2014**, Defendant began servicing Plaintiff's mortgage, despite its lack of ownership rights. Defendant misrepresented the loan's status and fraudulently induced Plaintiff to make payments on a non-existent debt for nearly a decade.
15. Defendant willfully misapplied Plaintiff's payments, added unauthorized fees, and escalated foreclosure threats, all while knowingly misrepresenting Plaintiff's loan as delinquent. These actions constitute violations of **12 U.S.C. § 2605** and fraud by misrepresentation.

### **3. Manipulative Timing and Unlawful Seizure of Escrow Funds**

16. In **2024**, during the sale of Plaintiff's property, Plaintiff submitted a QWR seeking clarification of the loan's status. Three days before the sale, Defendant acknowledged receipt of the QWR but stated that it would respond within the legally required timeframe—a deadline falling after the property sale date.
17. Instead of addressing Plaintiff's inquiry, Defendant unlawfully seized **\$448,000** from the loan balance and **\$174,000** from escrow, without any legal basis or proof of ownership, violating **RESPA** and Plaintiff's rights under federal law.
18. To date, Defendant has failed to provide a substantive response to Plaintiff's QWR, leaving Plaintiff without resolution, access to seized funds, or recourse to correct Defendant's misrepresentations.

### **4. Pattern of Abusive Conduct and Federal Penalties**

19. Defendant's conduct exemplifies a systemic pattern of abusive practices. In **2024**, Defendant was fined by the **Consumer Financial Protection Bureau (CFPB)** for similar violations, including misapplied payments, failure to respond to QWRs, unauthorized fees, and unlawful foreclosure actions.
20. Despite prior federal penalties and fines, Defendant continues to flout federal regulations, underscoring its reckless disregard for consumer protection laws and intent to profit from illegal practices.

### **5. Severe Emotional and Physical Harm**

21. Defendant's actions caused Plaintiff severe emotional and physical harm, including **ventricular tachycardia**, resulting directly from the stress, uncertainty, and constant foreclosure threats caused by Defendant's wrongful actions.
22. Plaintiff's financial stability was destroyed, and his relationships with family were irreparably harmed. Plaintiff incurred significant out-of-pocket expenses for medical care and emotional trauma counseling due to Defendant's malicious and reckless behavior.
23. Defendant's continued harassment and refusal to provide substantive responses further exacerbated Plaintiff's emotional distress, leaving Plaintiff without financial or legal recourse.

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## **CLAIMS FOR RELIEF**

**COUNT I: Violation of the Real Estate Settlement Procedures Act (RESPA)**

24. Plaintiff incorporates all preceding paragraphs.
25. Defendant violated **RESPA** (12 U.S.C. § 2605) by failing to respond to Plaintiff's QWRs within the legally mandated timeframe, misrepresenting its authority over the loan, and unlawfully seizing funds. Defendant's actions caused Plaintiff significant financial and emotional harm.

**COUNT II: Violation of the Consumer Financial Protection Act (CFPA)**

26. Defendant's deceptive practices—including fraudulent loan collection, failure to respond to QWRs, and ongoing abuse despite federal penalties—constitute unfair, deceptive, and abusive acts under **CFPA** (12 U.S.C. § 5531).
27. Defendant's actions warrant significant punitive damages to deter future misconduct.

**COUNT III: Violation of the Homeowners Protection Act (HPA)**

28. Defendant failed to remove **Private Mortgage Insurance (PMI)** after Plaintiff met statutory conditions for its removal, violating **HPA** (12 U.S.C. § 4901 et seq.) and imposing additional financial burdens on Plaintiff.

**COUNT IV: Fraudulent Misrepresentation and Inducement**

29. Defendant fraudulently induced Plaintiff to make payments on a loan it did not own, misrepresenting its legal authority, concealing material facts, and causing Plaintiff substantial financial losses.

**COUNT V: Intentional Infliction of Emotional Distress**

30. Defendant's actions—including wrongful collection practices, foreclosure threats, and failure to respond to QWRs—caused Plaintiff severe emotional distress, resulting in **ventricular tachycardia** and profound physical and emotional suffering.

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

1. **Enter judgment** in Plaintiff's favor for violations of **RESPA, CFPA, HPA, fraudulent misrepresentation, and intentional infliction of emotional distress**;
2. **Award compensatory, statutory, and punitive damages** totaling **\$20 million** to address the financial, emotional, and physical harm inflicted on Plaintiff by Defendant's wrongful actions;
3. **Grant injunctive relief** mandating Defendant's compliance with federal mortgage servicing laws and ceasing all unlawful practices;

4. **Award Plaintiff's legal fees and costs** as permitted by law;
  5. **Grant additional damages** to address Defendant's disregard for federal penalties, predatory conduct during Plaintiff's bankruptcy, and unauthorized foreclosure attempts without ownership rights.
- 

**Respectfully submitted,**  
**Steven Oppegard, Pro Se**



5904 Warner Ave. #429  
Huntington Bch., California  
(714) 612-5199  
oppe59@gmail.com  
Dated: 30DEC24



The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law nor act as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Oppegard, Steven P

(b) County of Residence of First Listed Plaintiff Orange

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

pro se

**DEFENDANTS**

Nationstar Mortgage LLC d/b/a/ Mr. Cooper

County of Residence of First Listed Defendant Denton

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**3 - 25 CV 0014 - X****II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                        | DEF                                   |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2            | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5            |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 625 Drug Related Seizure	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> of Property 21 USC 881	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 690 Other	<b>INTELLECTUAL PROPERTY RIGHTS</b>	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<b>LABOR</b>	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 864 SSID Title XVI	<input checked="" type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<b>IMMIGRATION</b>	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 462 Naturalization Application	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations		<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment			<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other			<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education			
	<b>PRISONER PETITIONS</b>			
	<input type="checkbox"/> 463 Alien Detainee			
	<input type="checkbox"/> 510 Motions to Vacate Sentence			
	<input type="checkbox"/> 530 General			
	<input type="checkbox"/> 535 Death Penalty			
	<b>Other:</b>			
	<input type="checkbox"/> 540 Mandamus & Other			
	<input type="checkbox"/> 550 Civil Rights			
	<input type="checkbox"/> 555 Prison Condition			
	<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

12 U.S.C. § 2605 (RESPA - Real Estate Settlement Procedures Act) 12 U.S.C. § 5531 (CFPA - Consumer Financial Protection Act) 12 U.S.C. § 490

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$  
20000000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

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DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

12/30/2024

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APPLYING IFP

JUDGE

MAG. JUDGE

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12/30/24

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Time Accepted

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PM

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Sunday/Holiday Premium Fee

Total Postage &amp; Fees

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Weight

Acceptance Employee Initials

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\$32.00

No. of Pieces

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Time

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Delivery Attempt (MM/DD/YYYY)

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